

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10 and 12 have been rejected under 35 U.S.C. § 112, second paragraph, as being vague and indefinite; Claims 1-6 and 8-12 have been rejected under 35 U.S.C. § 103 as being unpatentable over Honkura in view of Gillings and Claim 7 has been rejected under 35 U.S.C. § 103 as being unpatentable over Honkura in view of Gillings and Tanaka. Claims 1-9 and 11 have been canceled, without prejudice, and thus, Claims 10 and 12 remain active.

Considering first then the rejection of Claims 1-10 and 12 under 35 U.S.C. § 112, second paragraph, as being vague and indefinite, it is to be noted that appropriate amendments have now been made to the claims to indicate that the minor access diameter of adsorbing surface of the magnetic structure is 1.1 to 1.4 times the diameter of the cylindrical permanent magnet. This limitation, it is believed, therefore corresponds with the Examiner's interpretation of such claim. Insofar as appropriate amendments have now been made throughout the specification and claims, it is submitted that such complies with U.S. Patent Practice and Procedure.

Next considering then the rejection of Claims 1-6 and 8-12 under 35 U.S.C. § 103 as being unpatentable over Honkura et al. in view of Gillings, it is to be noted that each of Claims 10 and 12, the only two remaining claims in the present application, claim the fact that the cup yoke 2 has the side parts thereof ablated so as to form a planer shape for the advantages described in various portions of the present application. To the contrary, keeper 10 of Honkura is clearly illustrated and described as being round in nature, as recognized by the Examiner. While Gillings discloses magnetic elements 28 and 30 there is no disclosure of either of these elements being placed in a keeper having ablated side parts which are substantially planer as claimed in Claims 10 and 12. While the Examiner has indicated that

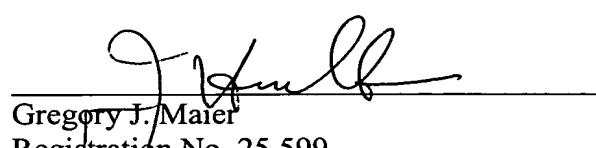
ablating side parts of a keeper would be obvious to one of ordinary skill in the art, Applicants respectfully traverse this contention and, as permitted under U.S. Patent Practice and Procedure, request that a reference teaching the specific feature provided and that this ground or that the rejection be dropped as required under MPEP guidelines. (See M.P.E.P. § 2144.03). More particularly, as discussed therein, if Applicants adequately traverse the Examiner's assertion of official notice, the Examiner must provide documentary evidence in the next Office Action if the rejection is to be maintained in view of the deficiencies of the above-noted prior art. It is respectfully submitted that each of Claims 10 and 12 now merit indication of allowability.

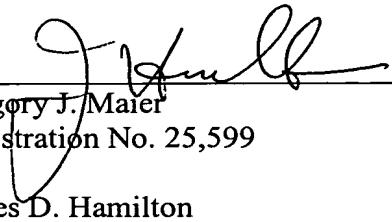
Considering next then the rejection of Claim 7 under 35 U.S.C. § 103 as being unpatentable over Honkura et al. in view of Gillings and Tanaka, it is respectfully submitted that Tanaka fails to rectify the deficiencies noted hereinabove with regard to Honkura and Gillings, particularly insofar as Tanaka has only been cited as teaching a magnetic attachment comprising a keeper and a prehension bar.

In view of the foregoing, an early and favorable Office Action is believed to be in order and the same is hereby respectfully requested.

Respectfully submitted,

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